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FAX TRANSMISSION SHEET

March 4, 2003

Our Ref : EHAR0010
Appl. No. : 09/856,402
Filing Date : May 21, 2001
Pages : Cover + 10

BY FACSIMILE ONLY

FAX : 703-308-6459
ATTN : **PCT Legal Office**
 Attorney-Advisor: **Mr. Anthony Smith**
 United States Patent and Trademark Office
FROM : Jiawei Huang, Reg. No.: 43,330
MESSAGE : Enclosed herewith are:
 Petition under 37 CFR 1.182
 A copy of the Decision on Petition dated 12/10/2002.
 Statement of Teruyuki Nakano.
 Statement of Kunihiko Shiromura.
 PCT Communication Form PCT/IB/345
 A copy of the front page of international application WO 01/028739 A1.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on **March 4, 2003** at the above indicated fax number.

Sign by: Michelle Chang

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Docket No.: EHAR0010
page 1

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE

In re application of : TERUYUKI NAKANO et al.
Application No. : 09/856,402
Filed : May 21,2001
For : POLISHING MACHINE FOR
PERIPHERAL EDGE OF
SEMICONDUCTOR

PETITION UNDER 37 C.F.R. §1.182

ATTN.: Office of the Petition
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Applicant requests to correct the first inventor's name of the above-identified application from "Yoshiyuki Nakano" to "Teruyuki Nakano". This mistake was made by mistyping when preparing the documents for the corresponding international application and was an inadvertent error without deceptive intent.

Enclosed herewith are a statement from Mr. Teruyuki Nakano and a statement from Mr. Kunihiko Shiromura, setting forth the specific circumstances as to how and when the error was made and discovered.

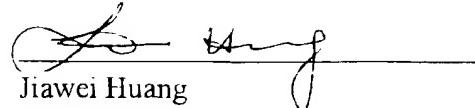
The Commissioner is authorized to charge the petition fee (\$130) and, if required, time extension fee (\$725 for four months of time extension) to account No. 50-0710 (Order No. EHAR0010). A duplicate copy of this sheet is enclosed.

Enclosed also are copies of the revised front page of WO 01/028739 A1 and Form PCT/IB/345, which indicates the correction of the inventor's name.

If the present petition and any of the above-identified payments become unnecessary in view of the revised WO 01/028739 and Form PCT/IB/345, please disregard the offer for payments.

Respectfully submitted,

Date: 3/4/2003


Jiawei Huang
Registration No. 43,330

Please send future Correspondence to:
4 Venture, Suite 250
Irvine, California 92618
Tel.: (949) 660-0761



10 DEC 2002
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Jiawei Huang
J.C. Patents
4 Venture, Suite 250
Irvine, CA 92618

In re Application of :
NAKANO et al. :
U.S. Application No. 09/856,402 :
PCT No.: PCT/JP00/07229 : DECISION ON PETITION
Int. Filing Date: 18 October 2000 : UNDER 37 CFR 1.47(a)
Priority Date: 18 October 1999 :
Attorney Docket No.: EHAR0010 :
For: POLISHING MACHINE FOR :
PERIPHERAL EDGE OF :
SEMICONDUCTOR :

This is a decision on applicants' "Renewed Petition Under 37 CFR 1.47(a)" filed 24 September 2002.

BACKGROUND

On 18 October 2000, applicants filed international application PCT/JP00/07229 which claimed a priority date of 18 October 1999 and designated the United States. The international application listed Yoshiyuki Nakano; Yasuhir Kosawa; and Hitoshi Tambo as applicant/inventors. A Demand for international preliminary examination was not filed prior to the expiration of nineteen months from the international filing date. Accordingly, the twenty-month period for paying the basic national fee in the United States was midnight, 18 June 2001.

On 21 May 2001, applicants filed a transmittal letter for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); the international application; and a preliminary amendment.

On 21 June 2001, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed. The notification set a two-month time limit in which to respond.

Application No.: 09/856,402

Page

2

On 12 October 2001, applicants filed petition under 37 CFR 1.47(a). The petition was dismissed in a decision dated 05 February 2002.

On 07 June 2002, applicants filed renewed petition under 37 CFR 1.47(a). The petition was dismissed in decision dated 04 September 2002 because the declaration was defective pursuant to 37 CFR 1.497.

On 24 September 2002, applicants filed the present renewed petition which was accompanied by untranslated Japanese document.

DISCUSSION

The communication entitled "Renewed Petition under 37 CFR 1.47(a) is not a proper response to the Decision mailed 04 September 2002. Applicant states in the communication that, "[a]pplicant would like to clarify that Teruyuki Nakano is the correct name of the first inventor. A petition to correct inventor's name Yoshiyuki Nakano to Teruyuki Nakano was filed with (the) Japan Patent Office on February 8, 2001 and has been processed by the JPO . . . Applicant believes that this document should have been sent to the United States Patent and Trademark by (the) International Bureau." There is no record of a Notification of the Recording of a Change (Form PCT/IB/306) from the International Bureau located in the application file. Therefore, as stated in the Decision mailed 04 September 2002, since the name change is clearly more than a mere typographical error, transliteration, or a phonetic misspelling of applicant's given name a proper petition under 37 CFR 1.182 is required in order to resolve the matter. Such a petition must be accompanied by the requisite petition fee of \$130 as well as verified statements from the inventor and any other persons having firsthand knowledge of the error. These statements must set forth the specific circumstances as to how and when the error was made and discovered, and must also set forth that the mistake was an inadvertent error without deceptive intent.

Because the failure to file the proper response does not appear to have been the result of an inadvertent omission (37 CFR 1.135(a)), applicant will not be accorded a new time period to correct the deficiencies in the response.

CONCLUSION

A proper response, as discussed above, must be filed within the period for response set forth in the Decision mailed 04 September 2002 which is extendable up to a maximum of five months. As such, using the maximum period of extension available, applicant has until 04 April 2003 to file a proper response or the application will be held abandoned as to the United States.

Application No.: 09/856,402

Page

3

Any further correspondence with respect to this matter should be directed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter directed to the attention of the PCT Legal Office.



Richard Cole
PCT Legal Examiner
PCT Legal Office



Anthony Smith
Attorney-Advisor
PCT Legal Office
Tel: 703-308-6314
Facsimile: 703-308-6459

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nakano et al.)
Application No.: 09/856,402)
Filed: May 21, 2001)
For: POLISHING MACHINE FOR)
PERIPHERAL EDGE OF)
SEMICONDUCTOR)
PCT No.: PCT/JP00/07229)
Int. Filing Date: October 18, 2000)

STATEMENT OF TERUYUKI NAKANO

I, Teruyuki Nakano, hereby state that:

1. I am the first inventor of the above-identified application.
 2. I am aware that the above-identified application names as joint inventors: Teruyuki Nakano; Yasuhiro Kozawa; and Hitoshi Tambo.
 3. I am aware that Mr. Kunihiko Shiromura first became aware that my name was misspelled as "Yoshiyuki Nakano" in numerous documents of the corresponding international application while checking these documents on February of 2001.
 4. I am aware that a petition to correct my name from "Yoshiyuki Nakano" to "Teruyuki Nakano" was filed with the Japan Patent Office (JPO) on February 8, 2001 and has been processed by JPO, and that a revised International Publication of the above-identified application with the corrected first inventor's name will issue on February 27, 2003.
 5. I hereby state that my correct English name is Teruyuki Nakano.
 6. I hereby state that the above error was made by mistyping and was an inadvertent error without deceptive intent.
 7. I declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

PATENT

Docket No. EHLR0010

under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

16. February, 2003

Dated: 16. July, 2003

By:

Teruyuki Nakano

PATENT
Docket No. EHAR0010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Nakano et al.)
Application No.:	09/856,402)
Filed:	May 21, 2001)
For:	POLISHING MACHINE FOR PERIPHERAL EDGE OF SEMICONDUCTOR)))
PCT No.:	PCT/JP00/07229)
Int. Filing Date:	October 18, 2000)

STATEMENT OF KUNIHIKO SHIROMURA

I, Kunihiko Shiromura, hereby state that:

1. I am one of the Japanese patent attorneys representing the inventors in prosecution of the above-identified application before the Japan Patent Office.
2. I am aware that the above-identified application names as joint inventors: Teruyuki Nakano; Yasuhiro Kozawa; and Hitoshi Tambo.
3. On February of 2001, I first became aware that the first inventor's name (Teruyuki Nakano) was misspelled as "Yoshiyuki Nakano" in numerous documents of the corresponding international application.
4. I am aware that a petition to correct the inventor's name from "Yoshiyuki Nakano" to "Teruyuki Nakano" was filed with the Japan Patent Office (JPO) on February 8, 2001 and has been processed by JPO, and that a revised International Publication of the above-identified application with the corrected first inventor's name will issue on February 27, 2003
5. I hereby state that the above error was made by mistyping when preparing the documents for the corresponding international application and was an inadvertent error without deceptive intent
6. I declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful

PATENT

Docket No. EHAR0010

false statements may jeopardize the validity of the application and any patent issued thereon.

Dated: 17. February, 2003By: Kunihiko Shiromura
Kunihiko Shiromura

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT**COMMUNICATION IN CASES FOR WHICH
NO OTHER FORM IS APPLICABLE**

To:

EHARA, Syogo
 Ehara Patent Office
 15-26, Edobori 1-chome, Nishi-ku
 Osaka-shi, Osaka 550-0002
 JAPON

Date of mailing (day/month/year) 20 February 2003 (20.02.03)	
Applicant's or agent's file reference FP00-034	REPLY DUE see paragraph I below
International application No. PCT/JP00/07229	International filing date (day/month/year) 18 October 2000 (18.10.00)
Applicant KABUSHIKI KAISHA ISHIIHYOKI	

1. REPLY DUE within _____ months/days from the above date of mailing
- NO REPLY DUE, however, see below
- IMPORTANT COMMUNICATION
- INFORMATION ONLY

2. COMMUNICATION:

The International Bureau will re-issue the front page of pamphlet on 27th of February 2003 (27.02.03) due to the error of the Applicant and Inventor's name.

Items in the front page to be corrected are as follows.

Under (72, 75) replace "NAKANO, Yoshiyuki" by "NAKANO, Teruyuki" and "KOSAWA, Yasuhiro" by "KOZAWA, Yasuhiro"

The items will be reflected in re-publication for the front page of pamphlet.

We are sorry for any inconvenience,

Masashi HONDA
 Coordinator of Processing Team 08

USPTO/PCT LEGAL

703 308 6459

*** RX REPORT ***

RECEPTION OK

TX/RX NO	5174
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RESULT	OK